

From: [Chow, James](#)
To: [Tougas, Stephanie](#)
Cc: [Kopf, Jeff](#); [Dart, Denny](#)
Subject: Re: Wetlands concern in Gardner, MA
Date: Wednesday, May 27, 2020 7:01:32 AM

Thanks for coordinating with MassDEP. If they conduct a site inspection, we should consider if it would be feasible for us to join them. I would want there to be an assessment of H&S protocols to ensure it could be done safely. Please ask them to keep you in the loop.

On May 26, 2020, at 5:09 PM, Tougas, Stephanie <tougas.stephanie@epa.gov> wrote:

MassDEP involvement

From: Stone, Marielle (DEP) <marielle.stone@state.ma.us>
Sent: Tuesday, May 26, 2020 4:51 PM
To: Tougas, Stephanie <tougas.stephanie@epa.gov>
Cc: Child, Denise (DEP) <denise.child@state.ma.us>; Boyer, David (DEP) <david.boyer@state.ma.us>
Subject: RE: RE: RE: Wetlands concern in Gardner, MA

Hi Stephanie,

MassDEP has been in contact with the City of Gardner regarding this matter and would like to coordinate any inspections with EPA if possible. Due to the Covid-19 State of Emergency we have been limited in our ability to do inspections, but are going to try and work on setting one up. We will keep EPA updated on any inspections planned by MassDEP. Feel free to contact me with any questions.

Thank you.

Marielle Stone
Deputy Regional Director
Bureau of Water Resources
MassDEP - Central Regional Office
Office: 508 767 2827
Cell: 508 713 3528

From: Tougas, Stephanie <tougas.stephanie@epa.gov>
Sent: Tuesday, May 26, 2020 9:03 AM
To: Alan Rousseau <rousseaua@verizon.net>

Cc: 'PAUL DEMEO' <ryanrealty@comcast.net>; matthewmarro@gmail.com; Ivan Ussach (MRWC) <ivan@millersriver.net>; Stone, Marielle (DEP) <marielle.stone@mass.gov>; Tedder, Newton <Tedder.Newton@epa.gov>
Subject: RE: RE: RE: Wetlands concern in Gardner, MA

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Hello Mr. Rousseau,

Thank you for your email. We received Mr. Demeo's concerns and are working on addressing the matter.

To make a FOIA request you can go to:

<https://foiaonline.gov/foiaonline/action/public/home>

Scroll down to "View Participating Agencies"

Then select "Environmental Protection Agency"

Click on "Submit a Request"

Stephanie Tougas
Water Enforcement Officer
EPA Region 1

From: Alan Rousseau <rousseaua@verizon.net>
Sent: Friday, May 22, 2020 11:05 AM
To: Tougas, Stephanie <tougas.stephanie@epa.gov>
Cc: 'PAUL DEMEO' <ryanrealty@comcast.net>; matthewmarro@gmail.com; Ivan Ussach (MRWC) <ivan@millersriver.net>; Stone, Marielle (DEP) <marielle.stone@mass.gov>; Tedder, Newton <Tedder.Newton@epa.gov>
Subject: RE: RE: RE: Wetlands concern in Gardner, MA
Importance: High

Hi Stephanie,

I am the property abutter to the south of the Gardner Sludge Landfill and am very concerned about the discharge from the two culverts at this site into the wetland area south of the landfill. Mr. DeMeo has submitted a tip to the US EPA regarding one of the culverts on the southwest corner of the landfill. A portion of this large wetland is on City of Gardner property and a portion is on my property. The City of Gardner has

been operating the Sludge Landfill under a Vertical Expansion Permit since 2/3/16 because this landfill was determined to be at capacity in 2013.

I very much appreciate your investigation, on behalf of the US EPA, of the tip submitted by Mr. DeMeo. I request the following:

1. Soil and water samples be taken and analyzed by the US EPA at the exit point of both culverts and the northern area of the wetland.
2. As a FOIA request, all correspondence (emails, letters, text messages, meeting notes) on this matter that have occurred to date.

Feel free to reach out to me if you have any questions.

My Best Regards and Thanks,
Alan

Alan N. Rousseau
211 Betty Spring Road
Gardner, MA 01440

(H) 978-632-0618
(C) 978-618-5755

From: PAUL DEMEO <ryanrealty@comcast.net>

Sent: Wednesday, May 20, 2020 4:45 PM

To: Scott Graves <sgraveslawoffice37@gmail.com>; Ed Gravel <egravel2018@gmail.com>; Alan Rousseau <rousseaua@verizon.net>; matthewmarro@gmail.com

Subject: Fwd: RE: RE: Wetlands concern in Gardner, MA

----- Original Message -----

From: "Tougas, Stephanie" <tougas.stephanie@epa.gov>

To: PAUL DEMEO <ryanrealty@comcast.net>

Date: May 20, 2020 at 4:24 PM

Subject: RE: RE: Wetlands concern in Gardner, MA

Hello Mr. Demeo,

Thank you for the additional information. We are actively looking into this matter and are following up with the facility and local officials. We take the concerns you raise seriously, and will determine appropriate next

steps after we discuss the matter with the facility and town.

Best

Stephanie Tougas

Water Enforcement Officer

EPA Region 1

From: PAUL DEMEO <ryanrealty@comcast.net>

Sent: Tuesday, May 19, 2020 8:12 PM

To: Tougas, Stephanie <tougas.stephanie@epa.gov>; Tedder, Newton
<Tedder.Newton@epa.gov>; dep.waterways@mass.gov

Cc: Scott Graves <sgraveslawoffice37@gmail.com>; Ed Gravel
<egravel2018@gmail.com>; Alan <rousseaua@verizon.net>;
matthewmarro@gmail.com; Marielle.Stone@mass.gov;
spotlight@globe.com; lbutler@gardner-ma.gov; ryanrealty
<ryanrealty@comcast.net>

Subject: RE: RE: Wetlands concern in Gardner, MA

Hello Stephanie.

I have not heard back from you in over a week as to the formal investigation I requested. A formal site visit needs to be done as requested by the EPA and Massachusetts DEP which has not taken place.

In these photos taken today with Alan Rousseau and Edward Gravel present. the photo shows the "[New Wetland Flagging](#)" showing the culvert storm-water dumping into a wetland, swamp, pond, and onto the Otter River, Miller's River, and Connecticut River.

Gardner's new conservation agent Lyndsy Butler disputed the fact of the culvert dumping sand, silt, and whatever else

into a "wetland" but it is now quite apparent and what I all along believed, is a fragile wetland area.

This is a serious matter which needs to be addressed as to what foreign materials are entering protected wetlands and waterways.

Does the City of Gardner have a storm-water permit? Is there an "order of conditions" and a DEP File #? Nobody seems to be able to answer these questions which is quite concerning.

I understand Lyndsy is trying to protect her job but she is "charged" with protecting wetlands and waterways. She should not be in fear of losing her job over doing the right thing. I have "no faith" in the Gardner Conservation Commission whatsoever.

The next step will be to contact the Boston News Stations and their investigative reporters.

Sand, silt, and unknown substances have now damaged a wetland area.

As you can see, the culvert pipe is nearly full. In addition, the emergency check dams put in place are failing and being breached.

I am again requesting a formal "site visit" take place as soon as possible and no work done on the site, until a formal engineering study is done to repair the damage done.

Looking forward to your reply. The abutting land owner Alan Rousseau, former city councilor Gravel, and present

city councilor Graves have been copied on this e-mail.

Everything is now documented.

Regards,

Paul DeMeo

On May 12, 2020 at 4:46 PM "Tougas, Stephanie"
<tougas.stephanie@epa.gov> wrote:

Hi Mr. Demeo, my apologies. EPA is in the process of determining if the facility requires an MSGP permit (Multi Sector General Permit) that covers stormwater discharges. If so, the permit requires them to maintain stormwater controls, among other things. The facility should be reaching out to our permit folks.

Best,

Stephanie Tougas

Water Enforcement Officer

EPA Region 1

From: PAUL DEMEO <ryanrealty@comcast.net>
Sent: Tuesday, May 12, 2020 4:37 PM
To: Tougas, Stephanie <tougas.stephanie@epa.gov>
Cc: Alan <rousseaua@verizon.net>; ryanrealty <ryanrealty@comcast.net>; Tedder, Newton <Tedder.Newton@epa.gov>
Subject: Fwd: RE: Wetlands concern in Gardner, MA

Hi Stephanie,

I have not heard back from you relative to my complaint.

Best Regards,

Paul DeMeo

----- Original Message -----

From: PAUL DEMEO <ryanrealty@comcast.net>

To: "Tougas, Stephanie"

<tougas.stephanie@epa.gov>

Date: May 5, 2020 at 11:08 PM

Subject: RE: Wetlands concern in Gardner, MA

Hi Stephanie,

Did you receive this okay?

Thanks for your assistance.

Paul DeMeo

On May 4, 2020 at 2:14 PM PAUL
DEMEO

<ryanrealty@comcast.net> wrote:

Hello Stephanie,

It was nice chatting earlier
today.

Attached are two identical
GIS Maps showing the
Gardner Sludge Landfill and
the Rousseau Property with
the three ponds showing and

the extensive wetlands. GIS MAP was obtained from City of Gardner engineering website.

Circle in **red** is the approximate area of the discharge pipe into the wetland area.

I have attached a photo of the discharge pipe into the wetland and as you can see, it is pretty much filled with silt and debris. Who know what else is discharging from the "sewage sludge".

Anything else I can help with, please let me know.

Can we do water and soil sampling?

I would be happy to meet any EPA Official that is sent out to view the complaint.

Best Regards,

Paul DeMeo

On May 4, 2020 at
12:25 PM "Tougas,
Stephanie"
<tougas.stephanie@epa.gov>

wrote:

Hello thanks for the additional information but I am having trouble finding the exact location of the alleged discharge (cannot locate Rousseau Pond on a map) could you

From: PAUL DEMEO
<ryanrealty@comcast.net>
Sent: Monday, May 4, 2020 11:53 AM
To: Tougas, Stephanie
<tougas.stephanie@epa.gov>
Cc: Alan
<rousseaua@verizon.net>; ryanrealty
<ryanrealty@comcast.net>
Subject: Re: Wetlands concern in Gardner, MA

Hi Stephanie,

Route 68
Gardner behind
Wildwood
Cemetery and the
Gardner Transfer
Station.

Rousseau Pond
being
endangered with

Sewage Sludge
Landfill in the
back.

This feeds into
Otter River, then
Miller's River and
onto Connecticut
River.

I do not believe
this is covered in
Gardner's MS-4
storm water
discharge permit.

How else can I
help?

Mr. Alan
Rousseau has
been copied on
this e-mail as he
is the landowner
directly affected.

Thanks!

Paul DeMeo

On May
4, 2020
at
10:46
AM
"Tougas,
Stephanie"
<tougas.stephanie@epa.gov>
wrote:

Hello
Mr.
Demeo.
I
received
the tip
regarding
the
alleged
wetlands
violation
by the
landfill.
I was
wondering
if you
could
provide
me a
bit
more
detail
on the
exact
location
so I can
properly
follow
up on
this?
Thank
you

Stephanie
Tougas

Water
Enforcement
Officer

EPA
Region

617-
918-
1798